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Amendment No. 1 to HR0009

DeBerry L
Signature of Sponsor

AMEND <House Resolution No. 9 <

by deleting the caption and by substituting instead the following:

A RESOLUTION concerning special house committees.

AND FURTHER AMEND By deleting the final resolving clause of the printed resolution and by substituting instead the following:

BE IT FURTHER RESOLVED, That the committee shall timely report its findings and recommendations, including any proposed legislation, to the One Hundred Second General Assembly, no later than February 1, 2001, at which time the committee shall cease to exist.

AND FURTHER AMEND By designating the preamble and resolving clauses as "**PART 1**" and by adding the following new language, to be designated as "**PART 2**":

PART 2

WHEREAS, in November of 1999 the Consumer Product Safety Commission reported that there were 6,300 emergency department-treated fireworks injuries across the country during the period of June 23 through July 23, 1999 when 60-74 % of all fireworks injuries occur; and

WHEREAS, in 1998, thirteen fireworks-related deaths were reported to the CPSC; some of those reported deaths, as well as 600 of the reported injuries, occurred from items banned by the federal government, such as large, reloadable tube devices, cherry bombs, aerial bombs, M-80s, quarter sticks, half sticks and other large firecrackers containing more than 50 milligrams of explosive powder; and

WHEREAS, many such dangerous items are made available throughout the United States, including Tennessee, by unregulated purveyors of such items banned

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under the Federal Hazardous Substances Act. Since 1988 the CPSC, working with the U. S. Customs Service, has seized or detained over 400 million hazardous fireworks at docks across the country; and

WHEREAS, CPSC, the Bureau of Alcohol, Tobacco and Firearms, and the U.S. Department of Justice have investigated and prosecuted many persons for transporting and selling illegal fireworks devices; nevertheless, many such illegal devices and the kits to build them continue to elude such efforts at interdiction; and

WHEREAS, while the state of Tennessee does not have a uniform, statewide law on fireworks sales and usage, Tennessee Code Annotated, Section 68-104-102, states that: *"It is unlawful for any person to manufacture, sell, offer for sale, ship or cause to be shipped or receive into or within this state, except as herein provided, any item of fireworks, without having secured the required applicable permit, as manufacturer, distributor, wholesaler, retailer or seasonal retailer, from the state fire marshal."* The requirement applies to nonresidents as well as residents, and mail orders by consumers are prohibited; and

WHEREAS, children are particularly attracted to fireworks and are especially vulnerable to those dangerous items banned under federal law, which can inflict serious injury involving loss of limbs, vision and hearing; and even the unsupervised use by children of fireworks now permitted under law should be discouraged; and

WHEREAS, it is in the best interest of this state to promote safety in the sale and use of permitted fireworks, and to eliminate commerce by unauthorized dealers of both

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banned and legal fireworks; such action is important to the safety of the children of this state; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That there is hereby created a Special House Committee to study fireworks safety in Tennessee, particularly focusing upon the safety of children and the illegal sale of banned fireworks.

BE IT FURTHER RESOLVED, That the committee shall consist of five (5) members of the House of Representatives, to be appointed by the Speaker of the House.

BE IT FURTHER RESOLVED, That all appropriate state agencies shall provide assistance to the Special House Committee upon request of the Chair.

BE IT FURTHER RESOLVED, That all members of the committee who are duly elected members of the General Assembly shall remain members of such committee until the committee reports findings and recommendations to the General Assembly.

BE IT FURTHER RESOLVED, That the committee shall be convened by the member with the most years of continuous service in the General Assembly; and at its first meeting shall elect a Chair, Vice Chair, and such other officers as the committee deems necessary.

BE IT FURTHER RESOLVED, That the committee shall timely report its findings and recommendations, including any proposed legislation, to the One Hundred Second

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General Assembly no later than February 1, 2001, at which time the committee shall
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